IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE SEVENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE GOPALA KRISHNA TAMADA

WRIT PETITION NO : 661 of 1998

Between:

Dr. C.L.Venkata Rao , S/o. Venkataratnam,
R/o. No.1, Shilpa Apartments,
Errumanzil Colony, Hyderabad.

..... PETITIONER

AND

1 The Deputy Commissioner of Police,North Zone, Secunderabad.
2 The Commissioner of Police, Hyderbad.
3 The Director of Indian Medicine and Homeopathy Department,
Secunderabad, Andhra Pradesh.
4 Government of Andhra Pradesh represented by it's Principal

Secretary, Medical and Health Department, Secretariat, Hyderabad.
5 Central Council of Homeopathy, Jawaharlal Nehru Bharatiya Chikitsa,

Auvm Homeopathy Anusandhan Bhavan, V&VI Floors, No.61 to 65,

Industrial Area, Opp: D Block, Janakpuri, New Delhi -110 058,

Rep.by it's President.
6 Dr.K.A.Bhakshi , President council of Electro Homeopathic System of Medicine,

Research and Development Institute ,188, Karkhana Bazar,
Secunderabad, Andhra Pradesh.

....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate writ, made particularly writ of Mandamus, order or direction directing the Respondents 1 to 5 to take action in accordance with law including penal action against the 6th respondent for the offences of cheating, criminal breach of trust, impersonation, forgery, etc. by floating a bogus institution under the name

and style of council of Electro Homeopathic system of Medicine, Research and Development Institute, Hyderabad at 188, Karkhana Bazar, Secunderabad and for organising a meeting under the name and style of 1st International World Congress of Alternative System of Medicine Convocation/ Award Presentation ceremony to be held on
11-1-1998 at Khaja Function Hall, Secunderabad by declaring the inaction of the Respondent No.1 to 5 in not taking any action against the 6th Respondent as sought though two crimes were registered against the 6th respondent as illegal, arbitrary and unconstitutional apart from being violative of principles of natural justice and against public interest.

Counsel for the Petitioner: MR.NANDIGAM KRISHANA RAO

Counsel for the Respondents 1to 4: GP FOR HOME

Counsel for the Respondent No.5: The Standing Counsel for C.G.

Counsel for the Respondent No.6: None appeared.

The Court made the following :

ORDER:

The petitioner, who is the Chief Gastroenterologist in Medwin Hospitals at Hyderabad and a member of Medical Council of India, filed the present writ petition seeking a direction to the respondents 1 to 5 to initiate criminal action against the 6th respondent for the offences of cheating, criminal breach of trust, impersonation, forgery, etc. as he floated a bogus institution under the name and style of Council of Electro Homeopathic System of Medicine, Research and Development Institute, Hyderabad.

A detailed counter is filed on behalf of the respondents 1 and 2 and it is stated in the said counter that basing on a complaint from one Sri.Satya Prasad, Inspecting Medical Officer, Indian Medicine Homeopathy Department, A.P., Secunderabad, dated 28-04-1997, a case in crime No.60 of 1997 under Section 420 I.P.C was registered against the 6th respondent and the matter was investigated into. Subsequently, basing on the information furnished by the petitioner, another case in crime No.1 of 1998 under Sections 420 and 471 I.P.C was registered.

In the light of the said categorical statement made by the respondents 1 and 2 about launching of criminal proceedings against 6th respondent, no further orders are necessary to be passed in this writ petition.

Accordingly, the writ petition is disposed of.

07-12-2004

vs

To

1 The Deputy Commissioner of Police,North Zone, Secunderabad.
2 The Commissioner of Police, Hyderbad.
3 The Director of Indian Medicine and Homeopathy Department, Secunderabad, Andhra Pradesh.
4 The Principal Secretary, Government of Andhra Pradesh,

Medical and Health Department, Secretariat, Hyderabad.

5. Two CCs to G.P. for Home, High Court Buildings, Hyderabad. (OUT)

6. Two C.D. copies.